PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
to a collection of information unless it displays a valid OMB control number. the Paperwork Reduction Act of 1995, no persons are required to respond to **Application Number** 09/965,542 Filing Date **TRANSMITTAL** 9/27/2001 First Named Inventor **FORM** Houser Art Unit 3764 **Examiner Name** Pham, Huong Q (to be used for all correspondence after initial filing) Attorney Docket Number 010905

FEB 2 4 2005

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)							
	Fee Transmittal Form		Drawing(s)			After	Allowance Communication to TC
	Fee Attached		Licensing-related Pape	rs .			al Communication to Board peals and Interferences
X	Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.5		Petition Petition to Convert to a Provisional Application Power of Attorney, Rev Change of Correspond Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table	ence Address		Propri	al Communication to TC al Notice, Brief, Reply Brief) etary Information s Letter Enclosure(s) (please Identify):
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm Name							
Signature							
Printed name James G. Whayne							
Date	February 24, 2005			Reg. No.			
CERTIFICATE OF TRANSMISSION/MAILING							
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:							
Signature							
Typed or printed name						Date	February 24, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEB 2 4 2005

2125708

PATENT Docket No. 010905/

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: ED 577980965 US

Date of Deposit: February 24, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Houser, et al

Serial No.:

09/965,542

Filing Date:

September 27, 2001

For:

JOINT BRACES AND TRACTION

DEVICES INCORPORATING SUPERELASTIC SUPPORTS

Examiner: H. Pham

Group Art Unit: 3764

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Prior to examination, please amend the specification and claims as put forth below. This amendment is responsive to the Office Action dated August 25, 2004 for which a three-month period for response was given. A 3 month extension is provided with this response. Accordingly, this response is timely filed. In view of the amendments to the claims and the remarks put forth below, reconsideration and allowance are respectfully requested.